

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-933X

DAKOTA, MISSOURI VALLEY & WESTERN RAILROAD, INC.
– ABANDONMENT EXEMPTION –
IN BURLEIGH and EMMONS COUNTIES, NORTH DAKOTA

NOTICE OF CONSUMMATION

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**ATTORNEY FOR DAKOTA, MISSOURI
VALLEY & WESTERN RAILROAD, INC.**

Dated: June 15, 2005

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SURFACE TRANSPORTATION BOARD

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Dakota, Missouri Valley & Western Railroad, Inc. (“DMVW”) hereby notifies the Surface Transportation Board (“Board”), as required under 49 C.F.R. § 1152.29(e)(2), that it will as of the date of this Notice exercise its authority to abandon a certain portion of the McKenzie-Linton Line between approximately milepost 13.0, a point south of Moffitt, Burleigh County, and approximately milepost 45.3 in Linton, Emmons County, North Dakota (the “Subject Line”).

By notice of exemption that became effective on May 31, 2005, DMVW filed for abandonment of a certain portion of the McKenzie-Linton Line between approximately milepost 13.0 and approximately milepost 45.3. DMVW has satisfied all of the environmental conditions imposed by the Board in its May 31, 2005 decision. DMVW is hereby notifying the Board that it is consummating the abandonment of the Subject Line. DMVW has discontinued operations, canceled tariffs and intends that the Subject Line be removed from the interstate rail network. DMVW certifies that a copy of this Notice of Consummation has been sent to the North Dakota Public Service Commission, as shown on the attached Certificate of Service.

Respectfully submitted,

By: /s/

Janie Sheng
Kirkpatrick & Lockhart
Nicholson Graham LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036
(202) 778-9000

**ATTORNEY DAKOTA, MISSOURI
VALLEY & WESTERN RAILROAD, INC.**

Dated: June 15, 2005

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2005, a copy of the foregoing **Notice of Consummation** was served by first class mail, postage prepaid, on the following:

North Dakota Public Service Commission
600 E. Boulevard
Bismarck, ND 58505-0480

/s/
Janie Sheng